

Entered - 04-29-98 sb
CL 03L0280 GWENDOLYN BURNS

CLAIM OF: **Barbara W. Turner, M.D.**
2801 Buford Highway, Suite 160
Atlanta, Georgia 30329

03-R-0794

ADOPTED BY
JUN 02 2003
COUNCIL

For property damages alleged to have been sustained when a water line was ruptured due to a water main break on December 5, 1998 at 195 E. Wesley Road, NE.

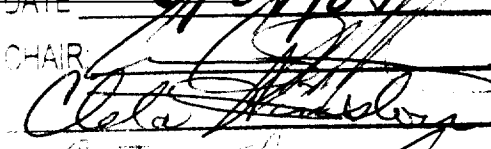
BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:

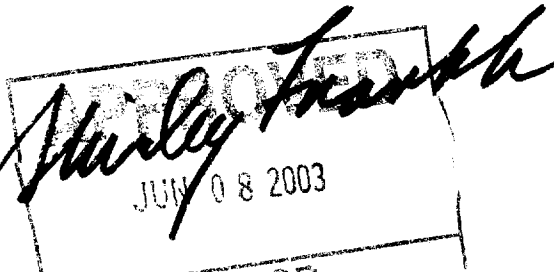
BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Barbara W. Turner, M.D.** the sum of **\$1,500.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained from an automobile accident on December 21, 2002 at Lakewood Avenue, SE & Macon Drive, SE as is more particularly set forth in the within claim; said sum taken from and charged to account **2J01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

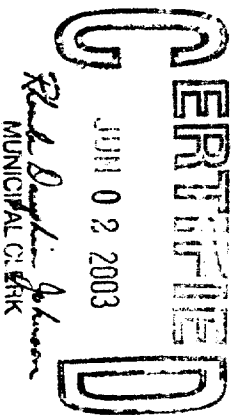
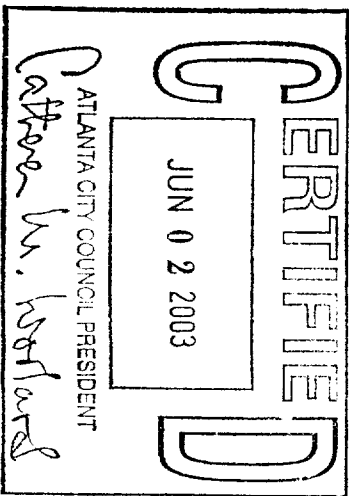
APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

COMM: P.S.
DATE: 5/27/03
CHAIR: 
C. T. Martin
H. L. Smith


JUN 08 2003
MAYOR





CORRECTED COPY

**MUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R-0794

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Barbara W. Turner, M.D.** in the sum of **\$1,500.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **when a water line was ruptured due to a water main break on December 5, 1998 at 195 E. Wesley Road, NE** as is more particularly set forth in the within claim; said sum taken from and charged to Account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Phonla Daughlin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
APPROVED by the Mayor**

**June 2, 2003
June 8, 2003**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 98L0280

Date: May 13, 2003

Claimant /Victim BARBARA W. TURNER, M.D.
BY: (Atty) (Ins. Co.) _____
Address: 2801 Buford Highway, Suite 160, Atlanta, Georgia 30329
Subrogation: _____ Claim for Property damage \$ 1,500.00 Bodily Injury \$ _____
Date of Notice: 4/27/98 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/5/98 Place: 195 E. Wesley Road, NE
Department WATERSHED MANAGEMENT Division Water
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant sustained property damage when her basement was flooded by a ruptured water line. An investigation determined that a water main break occurred on the day of claimant's incident. Further investigation revealed that City employees failed to clear the air from the water main prior to restoring water to it which caused increased pressure in Claimant's line and ultimately the rupture.

INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

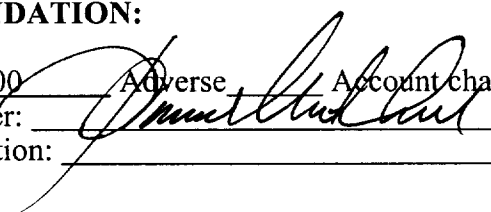
BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial X
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,500.00 Adverse _____ Account charged: 1A01 _____ 2J01 X 2P01 _____ 2H01 _____
Claims Manager:  Concur/date 05-14-03
Committee Action: _____ Council Action _____

RCS# 4761
6/02/03
2:42 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs.1-11 Except:03-O-0767; 03-O-0706

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 1
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	E Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

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ITEMS ADOPTED ON CONSENT AGENDA	06/02/03 Council Meeting ITEMS ADVERSE ON CONSENT AGENDA
1. 03-O-0705	32. 02-R-1076
2. 03-O-0837	33. 02-R-1077
3. 03-O-0717	34. 02-R-1078
4. 03-O-0104	35. 02-R-1079
5. 03-O-0663	36. 02-R-1080
6. 03-O-0711	37. 02-R-1081
7. 03-O-0835	38. 02-R-1082
8. 03-O-0836	39. 02-R-1083
9. 03-O-0840	40. 02-R-1084
10. 03-O-0721	41. 02-R-1085
11. 03-O-0786	42. 02-R-1086
12. 03-O-0587	43. 02-R-1087
13. 03-O-0781	44. 02-R-1088
14. 02-R-1351	45. 02-R-1089
15. 03-R-0822	46. 02-R-1090
16. 03-R-0823	47. 02-R-1091
17. 03-R-0825	48. 02-R-1092
18. 03-R-0828	49. 02-R-1093
19. 03-R-0829	50. 02-R-1094
20. 03-R-0832	51. 02-R-1095
21. 03-R-0833	52. 02-R-1096
22. 03-R-0820	53. 02-R-1097
23. 03-R-0821	54. 02-R-1098
24. 03-R-0845	55. 02-R-1099
25. 03-R-0846	
26. 03-R-0789	
27. 03-R-0790	
28. 03-R-0791	
29. 03-R-0792	
30. 03-R-0793	
31. 03-R-0794	

Consent I Vote: 13Yeas; 0Nays: (See RCS #4761)
Items Removed from the Consent Agenda: 03-O-0767; 03-O-0706